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K. M. B.
S. Zimmerman
PATENT
SIM0080

Application No. 10/010,798
Preliminary Amendment Dated March 31, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of)
Stefan Tobolka)
Serial No.: 10/010,798) Group 3721
Filed: November 13, 2001)
Title: **HEAT SEALING AND CUTTING**)
MECHANISM AND CONTAINER) Examiner: tbd
FORMING APPARATUS)
INCORORATING THE SAME)

PRELIMINARY AMENDMENT

RECEIVED

APR 10 2003

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

TECHNOLOGY CENTER R3700

Sir:

Please enter the Preliminary Amendment which follows hereinafter prior to the initial examination of the present application.

IN THE CLAIMS

Please amend claims 5, 9, 13, 19 and 24 as indicated below, cancel claims 25 to 33 without prejudice or disclaimer, and add new claims 34 to 65 to read as follows:

Sub B⁷

1. (Original) A heat sealing and cutting mechanism to form a heat seal and a cut across a tube of flexible packaging material, said heat sealing and cutting mechanism comprising:
- a carrier to contact said tube;
 - a pair of closely spaced heat sealing bands on said carrier, said heat sealing bands being energizable to form closely spaced heat seals across said tube when said carrier is in contact with said tube and said heat sealing bands are energized, said heat sealing bands being configured to define temperature gradients therealong; and
 - a cutting element on said carrier and disposed between said heat sealing bands, said cutting element being energizable to cut said tube when said carrier is in contact with said tube.

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01 FC:2201 126.00 OP
02 FC:2202 207.00 OP